

REMARKS

Only independent claim 102 and claims 103, 105 and 124 are dependent on claim 102 remain at issue. These claims have been rejected under 35USC 102(b) as being anticipated by Warne. Independent claim 102 has been amended to more clearly distinguish over Warne and is now believed allowable for the reasons set forth below. Claim 102 now claims the food processing apparatus has "*a demonstration mode demonstrating but not actually operating one of a plurality of modes*". These modes are a program mode, a self-diagnostic mode and the operations mode except for some functions.

The Examiner has kindly provided citations in Warne at which such modes are referenced. However, contrary to the assertion made in support of the rejection, in fact, Warne has no demonstration mode. Despite a vigorous study and review of the Warne patent, the word demonstration, the phrase demonstration mode "a demonstration mode in which different water pulses may be use" cannot be found in Warne. Despite being challenged to do so, the Examiner repeated failure to cite any location in the specification of Warne at which a demonstration mode is revealed or suggested also clearly demonstrates that there is no demonstration mode in Warne. It is respectfully submitted that such location cannot be identified because not such location exists.

The thrust of invention of claim 102 is that there is a demonstration mode in which the other modes of operation are only demonstrated but not actually operated. With the demonstration mode, users of the equipment can become familiarized with the different modes without any danger of damage to the equipment because of mistake during the initial learning period. Warne, without such a demonstration mode cannot provide this advantageous feature. Accordingly, Warne provides no proper basis for the rejection of claim 102 and this rejection should be withdrawn.

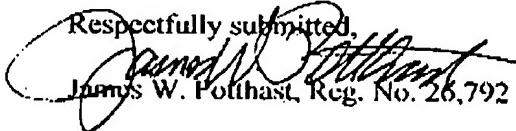
Claims 103, 105 and 124 are dependent on claim 102 and should be allowed for the same reasons set forth above with respect to claim 102. should also be allowed because they depend from an allowable claim.

If the examiner can show a location in Warne at which a demonstration mode for programming, self-diagnostics and operation are only demonstrated but not actually operated, then applicant will cancel these claims. If not, and further search still does not reveal any suggestions of a demonstration mode, then applicant will appeal the final rejection, if the application is not now deemed to be in condition for allowance, and will undoubtedly win the appeal.

The applicant should not be forced to do so simply to obtain that to which it is entitled, and it is therefore hope that the Examiner will either provide some citation in Warne that supports the rejection or withdraw the rejection and allow the claims at issue.

Reconsideration and allowance of all claims at issue are therefore respectfully solicited.

Respectfully submitted,

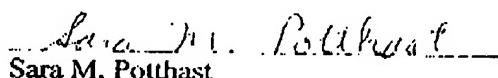

James W. Potthast, Reg. No. 26,792

Customer No. 28,439
Law Offices of
Potthast & Associates
10606 Deerpath Road
Woodstock, IL 60098

Voice: 815-334-0830
Fax: 815-334-0820
Email: patents@potthastlaw.com

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37CFR 1.8)

I hereby certify that this Amendment E (19-pages) and facsimile transmittal(1-page) are being facsimile transmitted to the United States Patent and Trademark Office fax number 571-273-8300 this 27th day of September, 2007


Sara M. Potthast